

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT CLARK

and

A.D.A. ACCESS TODAY

v.

DILEO'S TO GO, LTD

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CIVIL ACTION

No. 02-2847

ORDER

AND NOW, this day of September, 2003, after consideration of plaintiffs' complaint and motion for default judgment against DiLeo's To Go, Ltd. and the applicable law, plaintiff's motion is GRANTED. Defendant is Ordered to correct all deficiencies identified in paragraph 16 of plaintiffs' amended complaint as existing at defendant's place of public accommodation located at 3268 Red Lion Road, Philadelphia, Pennsylvania 19114. The deficiencies must be corrected within 90 days of the date of this Order. Defendant shall make said location available for inspection by plaintiffs within 30 days days thereafter to confirm that defendant has complied with this Order. Failure to comply with this Order may result in further sanctions upon application to this Court.

Plaintiff's request for attorney's fees and costs is DENIED without prejudice. Should plaintiffs seek reimbursement for attorney's fees, they should file an appropriate supplementary brief accompanied by evidence. Defendant may respond within 20 days thereafter.

THOMAS N. O'NEILL, JR., J.

